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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

CAPANA SWISS ADVISORS AG, a Swiss
corporation; AMERIMARK AUTOMOTIVE
AG, a Swiss corporation,

Plaintiffs,

vs.

RYMARK, INC., a Utah corporation;
NICHOLAS THAYNE MARKOSIAN, an
individual; JOHN KIRKLAND, an individual;
and VICKY SMALL, an individual,

Defendants.

RYMARK, INC., a Utah corporation; and
NICHOLAS THAYNE MARKOSIAN, an
individual,

Counter Claimants,

vs.

CAP ANA SWISS ADVISORS AG, a Swiss
corporation, and Amerimark Automotive AG,
a Swiss Corporation,

Counter Defendants.

RYMARK, INC., a Utah corporation; and
NICHOLAS THAYNE MARKOSIAN, an

**DECLARATION OF
CHAD S. PEHRSON IN SUPPORT OF
DEFENDANTS' MOTION FOR
LIMITED EXTENSION OF FACT
DISCOVERY**

Case No.: 2:23-cv-00467

Judge: Ted Stewart
Magistrate Judge: Cecilia M. Romero

individual,

Third-Party Plaintiffs,

vs.

SHAEN BERNHARDT, an individual;
ASHLEY MIRON LESHEM, an individual;
DAVID HESTERMAN, an individual;
NICOLAI COLSHORN, an individual;
STEFAN KAMMERLANDER, an individual;
ALEXANDER COENEN, an individual;
MARTIN FASSER HEEG, an individual;
AMERIMARK GROUP AG, a Swiss
corporation; and PHILOMAXCAP AG, a
German corporation,

Third-Party Defendants.

I, Chad S. Pehrson, declare as follows:

1. I am over 18 years of age and am fully competent to make this declaration. I am counsel to Defendants and Counterclaimants Rymark, Inc. (“**Rymark**”), Nicholas Markosian, John Kirkland, and Vicky Small (collectively “**Defendants**”). I have personal knowledge of the matters set forth below or have obtained knowledge from my review of the file. I make this declaration in support of Defendants’ motion for a limited extension of fact discovery (the “**Motion**”).

2. On January 24, 2025, Shaen Bernhardt sat for deposition as the Rule 30(b)(6) designee of Plaintiff AmeriMark Automotive AG. A true and correct copy of the transcript of that deposition is attached hereto as Exhibit A.

I declare the foregoing to be true and correct under penalty of perjury under the laws of
the United States

Executed on February 5, 2024, in Salt Lake City, Utah.

By: /s/Chad S. Pehrson
Chad S. Pehrson

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of February, I filed the foregoing **REPLY
DECLARATION OF CHAD S. PEHRSON IN SUPPORT OF DEFENDANTS' MOTION
FOR LIMITED EXTENSION OF FACT DISCOVERY** via the Court's CM/ECF system,
which provided notice of such filing to all counsel of records.

/s/Chad S. Pehrson